**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lawrence R. Oremland, Reg. No. 27,046 on June 04, 2009.

2. The application is amended as follows:

**IN THE CLAIMS:**

Claim 32 has been replaced with the following:

A system for use in managing activity of interest within an enterprise, comprising a computer having a model for tracking one or more human objects in a scene related to the enterprise and configured to

(i) access key activity data comprising object data related at least to the human features, locations, movement patterns, and predetermined other human activity of a human object relative to other physically and visually distinct objects in a scene related to the enterprise.

(ii) receive sensor data that is taken in by a sensor of a predetermined scene related to the enterprise,

(iii) extract solely from the sensor data changes that enables separation of foreground and background objects, including human objects, localization of human object features, and connection of object features that should be connected,

(iv) classify the extracted objects, including extracted human objects, in plurality of classes of objects of different features, shapes, movement and behavioral patterns,

(v) determine whether a human object is new to the human object data in the computer and initiating tracking of the new human object and if the human object exists as object data in the computer updating a track of the existing human object, and update the computer model in accordance with the foregoing, and

(vi) compare human object data to key activity data and produce a key activity message, wherein the key activity message contains any or all of the following elements: what is moving or changing, a person, animal, machine, or other inanimate object; what behavior the moving or changing object is engaged in; where the object is located; when the motion or change is occurring and measurable interpretation of the change in phenomena or activity in order to make a decision by a machine or a human for a purpose.

**Claim 39** is replaced with the following:

A method for use in managing human activity of interest within an enterprise, comprising:

a. providing a computer configured to:

(i) access key activity data comprising data related to activity of a human object relative to other physically and visually distinct objects in a predetermined scene related to the enterprise,

(ii) receive sensor data that is taken in by a sensor of a scene related to the enterprise,

(iii) extract solely from the sensor data a human object and the state of activity for the human object with respect to the state of activity for other physically and visually distinct objects in the sensor data, Irrespective of object compliance, including separation of foreground and background objects, including human objects, localization of human object features, and connection of human object features that should be connected, and

(iv) process the key activity data and the extracted data to produce output that is related to the key activity;

b. inputting to the computer sensor data that is taken in by a sensor of a scene related to the enterprise;

c. extracting solely from the sensor data, via the computer, a human object and the state of activity for the human object with respect to the state of activity for other physically and visually distinct object in the sensor data, including human objects, localization of human object features, and connection of human object features that should be connected;

d. processing the key activity data and the extracted data to produce output that is related to the key activity, wherein the output comprises of any or all of the following

elements: what is moving or changing, a person, animal, machine, or other inanimate object; what behavior the moving or changing object is engaged in; where the object is located; when the motion or change is occurring and measurable interpretation of the change in phenomena or activity in order to make a decision by a machine or a human for a purpose; and

e. storing the detected activities in a database for extraction and use in a decision support system.

## REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

**Claims 32-39** are considered allowable since when reading the claims in light of the specification, as per MPEP §2111.01, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in independent claims, including an invention of a *system for managing human activity of interest within an enterprise, comprising a computer having a model for tracking one or more human objects* (defined at e.g. ¶ 0012).

Specifically, independent claims 32 and 39 disclose a system and method for managing human activity configured to access key activity data comprising human object data related at least to the human features, locations, movement patterns, and predetermined other human activity of a human object (defined at e.g. ¶ 0052); receive sensor data that is taken in by a sensor of a predetermined scene related to the

enterprise (defined at e.g. ¶ 0052); extract solely from the sensor data changes that enables separation of foreground and background objects (defined at e.g. ¶ 0054); classify the extracted objects (defined at e.g. ¶ 0054); determine whether a human object is new to the human object data in the computer and initiating tracking of the new human object; and compare human object data to key activity data to produce a key activity message (defined at e.g. ¶ 0020).

A practical application of the invention is in the utilization of human activity and/or interaction within a business enterprise (defined at e.g. ¶ 0002).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Correspondence Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KALPANA BHARADWAJ whose telephone number is (571)270-1641. The examiner can normally be reached on Monday-Friday 7:30am 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Vincent can be reached on (571) 272-3080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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